IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10596 of 1996

Between:

B.Srinivas S/o Ramalu,

Managing partner, M/s.Srinivas & Co.,

Engineers & Contractors,
Khairatabad Hyderabad

..... PETITIONER

AND

1. Union of India

rep.by its Secretary, Ministry of Urban Development,

Central Secretariat, New Delhi.

2. Directorate General of Works,

Central Public Works Department,

Nirman Bhavan, New Delhi.

3. Executive Engineer,
Hyderabad Central Division No.II,

Central Public Works Department,

Kendriya Sadan, Sultan Bazar, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue writ of mandamus directing the respondent not to recover Earnest Money Deposit from out of the lumpsum security deposit of the petitioner and not to take any penal action against him in pursuance of the tender notice dt 26-8-95 on the file of the respondent No.3 by declaring the action of respondents affecting forfeiture of Earnest Money Deposit and proposed action of recovery of Earnest Money Deposit from out of the lumpsum security deposit of the petitioner as illegal void and without jurisdictionn and set aside the acceptance letter of tender dt 27-12-95 of the respondent No.3 and consequent letters dt 1-5-96 and 22-5-96 of the respondents No.3 as contrary to provisions of notice inviting tender.

Counsel for the Petitioner: MR.L.PRABHAKAR REDDY

Counsel for the Respondents: MR.RAMAKRISHNA RAO SIDDANATHI (SC FOR CG)

The Court made the following:

ORDER:

It is submitted by the learned counsel for the petitioner that the subject matter of the writ petition has become infructuous.

The submission is placed on record, and the writ petition is dismissed as having become infructuous. No order as to costs.

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N.V. RAMANA, J.

Date: 18th November, 2004.

LSK/ASP

To

Two C.D. copies.